

Local Agency Formation Commission
Of Modoc County
Regular Meeting

Minutes of October 11, 2011

1. Call to Order:

Chairman Bullock called the meeting to order at 5:01 pm, in the City Council Chambers, Alturas City Hall. Commissioners Dederick, Schreiber, Neer, Bullock and Allan were present. Commissioner Alternate Jerry Shea was also present, as well as City Public Works Director Chester Robertson and County Planning Director Kim Hunter.

2. Approval of Agenda

Commissioner Dederick made the motion to approve the agenda as submitted; seconded by Commissioner Allan. In favor: Unanimous.

3. Correspondence

Executive Officer Benoit has none to report at this time.

4. Approval of Minutes

None.

5. Public Comment

None.

PUBLIC HEARING:

6. Fire and EMS Sphere of Influence for the Adin FPD, Fort Bidwell FPD, Alturas Rural FPD, Lake City FPD, California Pines CSD (fire), Likely FPD, Canby FPD, Lookout FPD, Cedarville FPD, Tulelake FPD, Davis Creek FPD, Willow Ranch FPD, and Eagleville FPD.

a. Review Hearing Draft Sphere of Influence report and Conduct Public Hearing.

Chairman Bullock opens the public hearing at 5:04 p.m. Staff Report: Executive Officer Benoit provides the Spheres of Influence for the Fire Service Providers. This took a while longer because he wanted to make sure the maps were correct. He checked the original maps with the Clerk's Office and verified those with the legal descriptions. He had the maps reproduced with the correct boundaries. He also checked the maps at the Office of Emergency Services. What he found in other counties was maps were incorrect because the descriptions were read incorrectly and he wanted to make sure we didn't have those same issues here. The recommendation is to adopt the sphere of influence.

Patricia Cantrall, audience member, provides Benoit with a fire protection map that is given to all fire districts from the US Forest Service.

Executive Officer Benoit reports there were some issues between Eagleville and Cedarville and he went to the Assessor's Office to check those and make sure there wasn't an area that hadn't been covered. He reports that these will be inputted into the map books.

John Erquiaga, audience member, asks that they look at the Lake City map. He explains that they have shared split responsibilities between LRA and SRA with Lake City Fire District and Cal Fire respectively. Executive Officer Benoit reports their district would encompass both LRA and SRA because they would still go to structure fires and medical runs. They would like to modify their area to expand the local response area (LRA). Executive Officer Benoit suggests they contact Ron Sherer who has done that with Canby and Cal Pines. He also states they should contact the individual from Cal Fire to explain exactly what SRA means.

Commissioner Bullock states some of these issues are outside of today's discussion, and asks if there are any questions regarding the Sphere of Influence. Commissioner Schreiber asks if the Commission can send a letter to the districts asking if they would like to discuss the LRA/SRA issues. Commissioner Dederick states that by adopting the Sphere of Influence it should help in their endeavors to change SRA to LRA. Commissioner Alternate Shea reports the first "whereas" in the Resolution indicates this is required by Government Code Section 56425 and now there will be a resolution that the districts can fall back on.

Mrs. Cantrall reports that the fire services and emergency medical services have different boundaries and maybe they should have those maps attached as well.

Commissioner Alternate Shea asks if the map Cantrall supplied is consistent with the maps Benoit provided. Executive Officer Benoit hasn't reviewed that map and currently we are just approving the original boundaries, and if things need to be changed we will have to do individual annexations.

Chairman Bullock closes the hearing at 5:34 p.m.

- b. Consideration of Resolution 2011-0008 updating the Spheres of Influence for the Adin FPD, Fort Bidwell FPD, Alturas Rural FPD, Lake City FPD, California Pines CSD (fire), Likely FPD, Canby FPD, Lookout FPD, Cedarville FPD, Tulelake FPD, Davis Creek FPD, Willow Ranch FPD, and Eagleville FPD.*

Commissioner Neer made the motion to adopt Resolution 2011-0008 updating the Spheres of Influence for the above Fire Protection Districts; seconded by Commissioner Schreiber. In favor: Unanimous

7. City Annexation Process Overview and Discussion

- a. Hold a General Discussion regarding the annexation process with respect to the City of Alturas.*

Executive Officer Benoit reports a year ago he gave them a review of the LAFCo process, but the city annexation is a little different. Most of these procedures are a little bit different with respect to LAFCo. We adopted the City Sphere of Influence and we determined areas of

probable growth. Before annexation can take place the City would pre-zone the area to be annexed, and the City would become the CEQA lead agency.

LAFCo will have to look at the initial study and affirm it. The application would either be submitted by a petition or a resolution of an affected agency. If the application is made by a petition it is a much more prolonged process, which can take up to six months. The scenario with LAFCo would be that they will be given a title and reference number and fees will have to be paid. LAFCo would then prepare an informational referral letter for circulation to affected agencies and initiate the AB-8 tax exchange process. Once everything is complete, and all of the questions are answered, a public hearing will be held. They have terms and conditions where certain things can be asked. Depending on the number of people in the annexation they have to hold a protest proceeding, which can be waived under certain circumstances. They would then file a Certificate of Completion and if done by December 1st it would go on the next year's tax roll.

Commissioner Bullock asks what would have if they annexed in another district. Executive Officer Benoit states we would defunct that district prior to annexing it into the city.

Commissioner Dederick thanks Benoit and states this looks to be a two year process. Executive Officer Benoit states it can be done quicker than that; he has seen it done in a year.

8. Ratify Claims for August 2011 and Authorize Payment of Claims for September 2011.

- a. Approve payment of expenses for September 2011 and ratification of the August 2011 expenses.*

Commissioner Dederick made the motion to approve payment of expenses for September 2011 and ratify expenses for August 2011; seconded by Commissioner Schrieber. In favor: Unanimous.

9. Discussion of Calafco Conference August 31st – September 2, 2011

Executive Officer Benoit reports that the conference gives you a chance to network in addition to going to sessions. He wrote a memo on the session he attended, but he encourages them to view the Calafco website to review information on sessions that he or Commissioner Bullock might not have attended. The website provides Power Point presentations. There were some sessions on Northern California and issues on flooding.

Next year there will be a City and Public member up for election in the Northern area. There was a session on terms and conditions, which he thought was good for Executive Officers. There was talk on California grow trends, which is the same thing you hear at CSAC, and workshops on sustaining agriculture in the Napa Valley. All the bills that LAFCo supported and/or authored got signed; and the omnibus bill got signed, but he is going to report on that later.

Commissioner Bullock did network with a lot of people from all over the State. He talked to a lot of people from the southern and eastern counties, and reports it was refreshing to hear that

they face the same issues that we face. He recommends that others attend, reporting it was very interesting.

10. Executive Officer's Monthly Report

Executive Officer Benoit reports that he is meeting with the Hot Springs Valley Irrigation District tomorrow to help them with their boundaries. They didn't have a good map and they will be working on multiple annexations.

He will be working on the annexation for the Cedarville Water District which they saw at the Board meeting. As well as working on the Healthcare Districts' MSRs.

11. Commissioner Reports - Discussion

Commissioner Schrieber reports he heard today at the Board meeting there was discussion that if the hospital district hadn't been transferred within the year it would revert back. Executive Officer Benoit reports we would extend the deadline if that is an issue.

Commissioner Allan feels the reports on the fire protection districts went well.

Commissioner Neer asks if minutes can be given a week after the meeting, while it is still fresh in her head.

Commissioner Alternate Crabtree states the Governor signed legislation that allows illegal aliens to apply for funding for college.

Commissioner Bullock asks if they want to put something on the next agenda regarding LRA and SRA. Discussion ensues regarding that, and Executive Officer Benoit reports we do need to discuss it.

There being no further business to come before this Commission; Commissioner Schreiber made the motion to adjourn the meeting; seconded by Commissioner Allan. In favor: Unanimous

The next meeting will be held December 13, 2011 at 5:00 p.m.